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**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/247,097	02/09/99	MCCUNE E	032219-007

MM71/0926  
TROPICAN, INC.  
ATTENTION: PATENT COUNSEL  
20813 STEVENS CREEK BLVD., SUITE 150  
CUPERTINO CA 95014

EXAMINER  
PATEL, R

ART UNIT  
2636

PAPER NUMBER

DATE MAILED: 09/26/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Notice of Allowability

Application No.

09/247,097

Applicant(s)

McCune

Examiner

Rajnikant Patel

Group Art Unit

2838

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to 8/11/00

☒ The allowed claim(s) is/are 2-6, 8-10, 12, and 13

☐ The drawings filed on \_\_\_\_\_ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☒ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. 5.

☐ including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

## Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 20

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

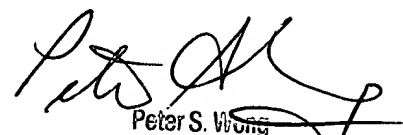
☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☐ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☐ Examiner's Statement of Reasons for Allowance

  
Peter S. Wong  
Supervisory Patent Examiner  
Technology Center 2800

Art Unit: 2838

## DETAILED ACTION

### CONTINUED EXAMINATION UNDER 37 CFR 1.114 AFTER ALLOWANCE

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an office action under EX Parte Quayle, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on August 7, 2000 has been entered and granted.

### *Allowable Subject Matter*

1. Claims 2-6,8-10,12 and 13 are allowed.
2. The following is an examiner's statement of reasons for allowance:

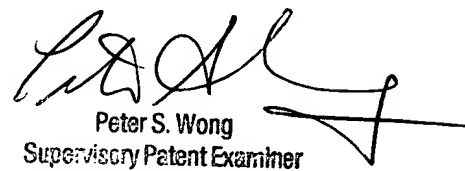
None of the cited art overcomes the limitation of the present application such as "a power amplifier driven repeatedly between two states, a hard on state and a hard-off state, without operating the amplifier in a linear operating region for appreciable percentage of the time, a voltage regulator means for producing a specified voltage within a range of voltage in accordance with a control signal for performing at least one of level control and burst control; and a power

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amplifier including a final amplification stage having the specified voltage as a supply voltage and having a drive signal causing the final amplification to be driven between two states, a hard-on state and a hard-off state.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communications or earlier from the examiner should be directed to Raj. Patel whose telephone number is (703) 305-7042. Any inquiry of a general nature or relating to the status of application should be directed to the Group receptionist whose telephone number is (703) 308-1782.

  
Peter S. Wong  
Supervisory Patent Examiner  
Technology Center 2800

R. B. Patel

September 19, 2000



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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## NOTICE OF ALLOWANCE AND ISSUE FEE DUE

MM71/08264

TROPICAN, INC.  
ATTENTION: PATENT COUNSEL  
20813 STEVENS CREEK BLVD., SUITE 150  
CUPERTINO CA 95014

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/247,097	02/09/99	010	PATEL, R 2838	09/26/00
First Named Applicant	MOCCONE, 35 USC 154(b) term ext. = 0 Days.			

TITLE OF INVENTION HIGH-EFFICIENCY AMPLIFIER OUTPUT LEVEL AND BURST CONTROL

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE/DUE	DATE DUE
2 032219-007	323-266.000	984	UTILITY	YES	\$605.00	12/26/00

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

### HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section 4b, of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

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